



WEB COPY



Tr.CMP Nos.639 and 721 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

TR.CMP Nos.639 and 721 of 2023
and C.M.P.Nos.15943 & 17481 of 2023

G.Sankararaman Petitioner in Tr.C.M.P.No.639/2023
& respondent in Tr.C.M.P.No.721/2023

-Vs-

Sangeetha Respondent Tr.C.M.P.No.639/2023
& petitioner in Tr.C.M.P.No.721/2023

Prayer in Tr.C.M.P.No.639 of 2023 : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.392 of 2023 on the file of the V Additional Family Court, Chennai and transfer the same along with HMOP No.80 of 2022 on the file of the Subordinate Court, Alandur.

Prayer in Tr.C.M.P.No.721 of 2023 : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw HMOP No.80 of 2022 pending on the file of the Subordinate Court, Alandur and transfer the same along with HMOP No.390 of 2022 on the file of the V Additional Family Court, Chennai.

In Tr.C.M.P.No.639 of 2023

For Petitioner : Mr.S.Sivakumar
For Respondent : Mr.K.Krishnamoorthy

In Tr.C.M.P.No.721 of 2023

For Petitioner : Mr.K.Krishnamoorthy
For Respondent : Mr.S.Sivakumar



ORDER

The wife has moved a transfer petition seeking transfer of H.M.O.P.No.80 of 2022 on the file of the Sub Court, Alandur to be heard along with H.M.O.P.No.392 of 2023 on the file of the V Additional Family Court at Chennai. The husband also has moved this Court, who wants the prayer in the reverse. The husband is a resident of Nanganallur and the wife is the resident of Velachery. The wife is working in Sholingnallur and the husband claims that he is working at Arumbakkam.

2. If the parties are called upon to appear before the Family Court at Chennai, then it will be difficult for them. Considering the distance from Velachery to Alandur is not as far as from Velachery to Family Court, Chennai, I am inclined to transfer H.M.O.P.No.392 of 2023 from the file of the V Additional Family Court Chennai to the file of the Subordinate Court at Alandur to be heard and tried along with H.M.O.P.No.80 of 2022 pending on the file of Sub Court, Alandur. Another reason why I take this course of action is because, it was the husband who moved the Court first and after service of summons in the proceedings, the wife proceeded further and filed the petition before the Family Court at Chennai.

3. The counsels on either side report that the Sub Court at Alandur is pressed for work and therefore that might cause delay in the proceedings. The learned Subordinate Judge at Alandur is requested to look into the matter and grant it priority



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if it so deserves. With the above observation, the Transfer C.M.P.No.639 of 2023 stands allowed and Transfer C.M.P.No.721 of 2023 stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

08.04.2024

Index : Yes/No

Neutral Citation : Yes/No

KST

To

1.The Subordinate Judge
Alandur.

2.The V Additional Family Judge
Family Court, Chennai.



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V. LAKSHMINARAYANAN, J.
KST

TR.CMP No.721 of 2023 &
Tr.C.MP No. 639 of 2023

08.04.2024